

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUASA HADZIJC

Plaintiff,

-v.-

ART FOOD LLC et al.,

Defendants.

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ORDER

24 Civ. 7205 (LGS)(GWG)

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GABRIEL W. GORENSTEIN, United States Magistrate Judge

The Court has reviewed the papers filed in connection with defendants' motion to enforce a purported settlement agreement. See Docket ## 39-43.

The facts set forth in the two memoranda of law filed by defendants are almost entirely devoid of any citation to evidence in the record. Putting aside defendants' failure to provide citations, no sworn statement accompanies the motion that sets forth the factual narrative contained in the memoranda of law. The only sworn statement filed by defendants (Docket # 40) merely authenticates two attached emails. The motion papers do not even include a copy of the "Term Sheet," which is referred to repeatedly in the briefing.

The failure to provide critical evidence and citations represents not only a substantive omission in the motion papers but also a failure to comply with paragraph 2.D of the Individual Practices of the undersigned.

While the motion to enforce might be denied outright based on these failings, we will instead exercise our discretion to give the defendants a chance to properly brief their motion. Accordingly, the current motion to enforce (Docket # 39) is deemed withdrawn. A new motion to enforce the settlement agreement shall be filed on or before August 11, 2025. Any opposition by plaintiff shall be filed on or before August 25, 2025. Any reply shall be filed on or before September 5, 2025. Obviously, the motion papers must comply in full with paragraph 2.D of the Court's Individual Practices.

In light of plaintiff's pro se status, the Court notes for her benefit that her own opposition (dated July 1, 2025) did not rely on any factual contentions. Thus, if plaintiff wishes to ask the Court to rely on her July 1, 2025, opposition instead of filing a new opposition, she is permitted to do so as long as she informs the Court of such by letter.

SO ORDERED.

Dated: July 25, 2025
New York, New York



GABRIEL W. CORENSTEIN
United States Magistrate Judge